

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

LISA M. VANCE

Plaintiff,

-against-

STERLING JEWELERS, INC. d/b/a KAY
JEWELERS,

Defendant.

Civil Action No. 3:16-cv-01162-MAD-DEP

**STIPULATION AND ORDER
COMPELLING ENTIRE ACTION TO
ARBITRATION**

It Is Hereby Stipulated And Agreed by and between Plaintiff LISA M. VANCE (“Plaintiff”) and her attorney of record Hartnett Law Office, P.C., and Defendant STERLING JEWELERS, INC. D/B/A KAY JEWELERS (“Defendant”), and their attorneys of record Littler Mendelson, P.C., that the following Stipulation may be entered as an Order by the Court to give effect to the stipulations set forth below:

1. On or about September 23, 2016, Plaintiff filed her Complaint for Damages against Defendants in the United States District Court, Northern District of New York;
2. Defendant, through counsel, agreed to accept service of said Complaint;
3. At the time of her employment, Plaintiff agreed as a condition of her employment to abide by the Company’s RESOLVE program, which is an alternative dispute program that culminates in arbitration. A copy of the signed agreement is attached hereto as **Exhibit “A”**;
4. The parties agree that the claims asserted in the Complaint for Damages are subject to the mandatory arbitration provisions and thus this matter should be dismissed without prejudice; and
5. Defendant has not filed any responsive pleading in this matter.

The parties, through their respective counsel of record AGREE AND HEREBY STIPULATE for an Order compelling the above-referenced action, in its entirety, to arbitration.

Accordingly, this Action will be dismissed without prejudice.

Date: December 1 2016
Fairport, New York



Peter M. Hartnett, Esq., #101931
HARTNETT LAW OFFICE, P.C.
499 S. Warren Street, Ste. 705
Syracuse, NY 13202
peter@hartnettlawoffice.com
Tel. 315.218.6131

Attorney for Plaintiff
LISA M. VANCE



Jacqueline Phipps Polito, Esq., #511655
LITTLER MENDELSON, P.C.
375 Woodcliff Drive, Second Floor
Fairport, NY 14450
jpolito@littler.com
Tel. 585.203.3400

Attorney for Defendant
STERLING JEWELERS, INC. D/B/A KAY
JEWELERS

ORDER

Good Cause Appearing Therefore, IT IS HEREBY ORDERED that Plaintiff's entire action be compelled to arbitration. Pending the resolution of this matter in arbitration, this action shall be stayed in its entirety

IT IS SO ORDERED.

Dated: _____

By: _____
Honorable David E. Peebles
Magistrate Judge

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